

AMENDMENT TO H.R. 1262**OFFERED BY MR. WITTMAN OF VIRGINIA**

At the end of the bill, add the following (with the correct sequential provision designations [replacing the numbers currently shown for such designations] and conform the table of contents accordingly):

1 TITLE VI—CHESAPEAKE BAY AC-
2 COUNTABILITY AND RECOV-
3 ERY

4 SEC. 6001. CHESAPEAKE BAY CROSSCUT BUDGET.

5 (a) CROSSCUT BUDGET.—The Director, in consulta-
6 tion with the Chesapeake Executive Council, the chief ex-
7 ecutive of each Chesapeake Bay State, and the Chesa-
8 peake Bay Commission, shall submit to Congress a finan-
9 cial report containing—

10 (1) an interagency crosscut budget that dis-
11 plays—

12 (A) the proposed funding for any Federal
13 restoration activity to be carried out in the suc-
14 ceeding fiscal year, including any planned inter-
15 agency or intra-agency transfer, for each of the
16 Federal agencies that carry out restoration ac-
17 tivities;

1 (B) to the extent that information is avail-
2 able, the estimated funding for any State res-
3 toration activity to be carried out in the suc-
4 ceeding fiscal year;

5 (C) all expenditures for Federal restoration
6 activities from the preceding 3 fiscal years, the
7 current fiscal year, and the succeeding fiscal
8 year; and

9 (D) all expenditures, to the extent that in-
10 formation is available, for State restoration ac-
11 tivities during the equivalent time period de-
12 scribed in subparagraph (C);

13 (2) a detailed accounting of all funds received
14 and obligated by all Federal agencies for restoration
15 activities during the current and preceding fiscal
16 years, including the identification of funds which
17 were transferred to a Chesapeake Bay State for res-
18 toration activities;

19 (3) to the extent that information is available,
20 a detailed accounting from each State of all funds
21 received and obligated from a Federal agency for
22 restoration activities during the current and pre-
23 ceding fiscal years; and

24 (4) a description of each of the proposed Fed-
25 eral and State restoration activities to be carried out

1 in the succeeding fiscal year (corresponding to those
2 activities listed in subparagraphs (A) and (B) of
3 paragraph (1)), including the—

4 (A) project description;

5 (B) current status of the project;

6 (C) Federal or State statutory or regu-
7 latory authority, programs, or responsible agen-
8 cies;

9 (D) authorization level for appropriations;

10 (E) project timeline, including benchmarks;

11 (F) references to project documents;

12 (G) descriptions of risks and uncertainties

13 of project implementation;

14 (H) adaptive management actions or
15 framework;

16 (I) coordinating entities;

17 (J) funding history;

18 (K) cost-sharing; and

19 (L) alignment with existing Chesapeake
20 Bay Agreement and Chesapeake Executive
21 Council goals and priorities.

22 (b) MINIMUM FUNDING LEVELS.—The Director shall
23 only describe restoration activities in the report required
24 under subsection (a) that—

1 (1) for Federal restoration activities, have fund-
2 ing amounts greater than or equal to \$100,000; and
3 (2) for State restoration activities, have funding
4 amounts greater than or equal to \$50,000.

5 (c) DEADLINE.—The Director shall submit to Con-
6 gress the report required by subsection (a) not later than
7 30 days after the submission by the President of the Presi-
8 dent's annual budget to Congress.

9 (d) REPORT.—Copies of the financial report required
10 by subsection (a) shall be submitted to the Committees
11 on Appropriations, Natural Resources, Energy and Com-
12 merce, and Transportation and Infrastructure of the
13 House of Representatives and the Committees on Appro-
14 priations, Environment and Public Works, and Commerce,
15 Science, and Transportation of the Senate.

16 (e) EFFECTIVE DATE.—This section shall apply be-
17 ginning with the first fiscal year after the date of enact-
18 ment of this Act for which the President submits a budget
19 to Congress.

20 **SEC. 6002. ADAPTIVE MANAGEMENT PLAN.**

21 (a) IN GENERAL.—Not later than 1 year after the
22 date of enactment of this Act, the Administrator, in con-
23 sultation with other Federal and State agencies, shall de-
24 velop an adaptive management plan for the Chesapeake
25 Bay Program and restoration activities that includes—

- 1 (1) definition of specific and measurable objec-
- 2 tives to improve water quality, habitat, and fisheries;
- 3 (2) a process for stakeholder participation;
- 4 (3) monitoring, modeling, experimentation, and
- 5 other research and evaluation practices;
- 6 (4) a process for modification of restoration ac-
- 7 tivities that have not attained or will not attain the
- 8 specific and measurable objectives set forth under
- 9 paragraph (1); and
- 10 (5) a process for prioritizing restoration activi-
- 11 ties and programs to which adaptive management
- 12 shall be applied.

13 (b) IMPLEMENTATION.—The Administrator shall im-

14 plement the adaptive management plan developed under

15 subsection (a).

16 (c) UPDATES.—The Administrator shall update the

17 adaptive management plan developed under subsection (a)

18 every 3 years.

19 (d) REPORT TO CONGRESS.—

20 (1) IN GENERAL.—Not later than 60 days after

21 the end of a fiscal year, the Administrator shall

22 transmit to Congress an annual report on the imple-

23 mentation of the adaptive management plan required

24 under this section for such fiscal year.

1 (2) CONTENTS.—The report required under
2 paragraph (1) shall contain information about the
3 application of adaptive management to restoration
4 activities and programs, including programmatic and
5 project level changes implemented through the proc-
6 ess of adaptive management.

7 (3) EFFECTIVE DATE.—Paragraph (1) shall
8 apply to the first fiscal year that begins after the
9 date of enactment of this Act.

10 **SEC. 6003. DEFINITIONS.**

11 In this title, the following definitions apply:

12 (1) ADAPTIVE MANAGEMENT.—The term
13 “adaptive management” means a type of natural re-
14 source management in which project and program
15 decisions are made as part of an ongoing science-
16 based process. Adaptive management involves test-
17 ing, monitoring, and evaluating applied strategies
18 and incorporating new knowledge into programs and
19 restoration activities that are based on scientific
20 findings and the needs of society. Results are used
21 to modify management policy, strategies, practices,
22 programs, and restoration activities.

23 (2) ADMINISTRATOR.—The term “Adminis-
24 trator” means the Administrator of the Environ-
25 mental Protection Agency.

1 (3) CHESAPEAKE BAY STATE.—The term
2 “Chesapeake Bay State” or “State” means the
3 States of Maryland, West Virginia, Delaware, and
4 New York, the Commonwealths of Virginia and
5 Pennsylvania, and the District of Columbia.

6 (4) CHESAPEAKE BAY WATERSHED.—The term
7 “Chesapeake Bay watershed” means the Chesapeake
8 Bay and the geographic area, as determined by the
9 Secretary of the Interior, consisting of 36 tributary
10 basins, within the Chesapeake Bay States, through
11 which precipitation drains into the Chesapeake Bay.

12 (5) CHIEF EXECUTIVE.—The term “chief execu-
13 utive” means, in the case of a State or Common-
14 wealth, the Governor of each such State or Common-
15 wealth and, in the case of the District of Columbia,
16 the Mayor of the District of Columbia.

17 (6) DIRECTOR.—The term “Director” means
18 the Director of the Office of Management and Budg-
19 et.

20 (7) RESTORATION ACTIVITIES.—The term “res-
21 toration activities” means any Federal or State pro-
22 grams or projects that directly or indirectly protect,
23 conserve, or restore living resources, habitat, water
24 resources, or water quality in the Chesapeake Bay
25 watershed, including programs or projects that pro-

- 1 mote responsible land use, stewardship, and commu-
2 nity engagement in the Chesapeake Bay watershed.
3 Restoration activities may be categorized as follows:
4 (A) Physical restoration.
5 (B) Planning.
6 (C) Feasibility studies.
7 (D) Scientific research.
8 (E) Monitoring.
9 (F) Education.
10 (G) Infrastructure Development.

